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Arraignment

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

11 Cr. 1032 (PAE)

5 MIGUEL STRONG,

6 Defendant.

7 -----x

8 New York, New York

9 May 17, 2013

3:00 p.m.

10 Before:

11 HON. PAUL A. ENGELMAYER,

12 District Judge

13
14 APPEARANCES

15 PREET BHARARA

16 United States Attorney for the
Southern District of New York

17 BY: RACHEL MAIMIN

Assistant United States Attorney

18 KARAHNI NKRUMAH

19 Attorney for Defendant

20 ALSO PRESENT:

21 David Mintz, Spanish Interpreter

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1 (In open court)

2 (Case called)

3 MR. NKRUMAH: Your Honor, I would like to apologize
4 for my tardiness. I was dealing with another matter. I had a
5 client who had house arrest who had an unauthorized leave. I
6 was dealing with that.

7 THE COURT: Not to worry, but I appreciate the
8 apology.

9 I think we are here for one purpose and one purpose
10 only, which is as follows. The last conference in this case,
11 at least as to this group defendants, was on March 13, and at
12 the time I arraigned almost all of the defendants in the case
13 on the most recent indictment in the case, S5 11 Cr. 1032.

14 I was unable, however, to arraign Mr. Strong because
15 on the record before me it was not clear whether he had
16 reviewed that most recent version of the indictment with his
17 lawyer. So we have had on our list of things to do to have
18 Mr. Strong arraigned on that indictment, and I intend to do so
19 today.

20 Before doing so, let me ask Ms. Maimin if there is
21 anything further that I need to tend to today?

22 MS. MAIMIN: Not at all, your Honor.

23 THE COURT: Mr. Nkrumah.

24 MR. NKRUMAH: No, your Honor.

25 THE COURT: Very good.

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1 Mr. Strong, would you please rise.

2 What is your full name?

3 THE DEFENDANT: Miguel Strong.

4 THE COURT: How old are you?

5 THE DEFENDANT: 23.

6 THE COURT: How far did you go in school?

7 THE DEFENDANT: Ninth grade.

8 THE COURT: Where was that?

9 THE DEFENDANT: At Kennedy.

10 THE COURT: Are you able to speak and understand
11 English?

12 THE DEFENDANT: A little.

13 THE COURT: OK. As you can see, we have an
14 interpreter here to assist you today. Will you please let me
15 know if you have any difficulty understanding what the
16 interpreter is saying?

17 THE DEFENDANT: OK.

18 THE COURT: Have you ever been treated or hospitalized
19 for any mental illness?

20 THE DEFENDANT: No.

21 THE COURT: Are you now or have you recently been
22 under the care of a doctor or a psychiatrist?

23 THE DEFENDANT: Yes.

24 THE COURT: When was that?

25 THE DEFENDANT: In the prison where I am.

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1 THE COURT: What is the nature of the care that you
2 have received?

3 THE DEFENDANT: I can't explain it.

4 THE COURT: Does it have to do with mental illness?

5 THE DEFENDANT: Yes.

6 THE COURT: OK. For the purposes of today's
7 proceeding, what is important to me is that you are able to
8 understand what I am saying, that you have a clear mind, and
9 that you are able to speak clearly.

10 Are all those things true?

11 THE DEFENDANT: Yes.

12 THE COURT: Have you ever been hospitalized or treated
13 for addiction to any drugs or alcohol?

14 THE DEFENDANT: No.

15 THE COURT: In the past 24 hours have you taken any
16 drugs, medicine, or pills or drunk any alcoholic beverages?

17 THE DEFENDANT: The pills that are prescribed for me.

18 THE COURT: And what are those pills for?

19 THE DEFENDANT: Depression.

20 THE COURT: Do the pills that you are taking for
21 depression affect your ability to understand or to speak
22 clearly?

23 THE DEFENDANT: No.

24 THE COURT: Is your mind clear today?

25 THE DEFENDANT: Yes.

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1 THE COURT: Do you understand what's happening in this
2 proceeding?

3 THE DEFENDANT: Yes.

4 THE COURT: Mr. Nkrumah, can you proffer to me,
5 without the content of your communications, the extent to which
6 you have spent time with your client?

7 MR. NKRUMAH: Yes, your Honor. I have visited
8 Mr. Strong on a number of occasions. We have gone over the
9 indictment. We have gone over information in this matter.

10 THE COURT: The question really is whether you are
11 confident that he is of a clear mind today.

12 MR. NKRUMAH: Yes, I am.

13 THE COURT: Mr. Strong, have you received a copy of
14 the superseding indictment in this case?

15 THE DEFENDANT: Yes.

16 THE COURT: Have you had time to consult with your
17 attorney about it?

18 THE DEFENDANT: Yes.

19 THE COURT: Has it been translated to you?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you want the indictment read aloud here
22 today, or do you waive its public reading?

23 THE DEFENDANT: No, it is not necessary for you to
24 read it.

25 THE COURT: Very good. Thank you.

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1 How do you plead to the charges in the superseding
2 indictment?

3 THE DEFENDANT: Not guilty.

4 THE COURT: OK. Thank you.

5 You may be seated.

6 Mr. Nkrumah, just to remind you of the schedule here,
7 the next pretrial conference in this case is July 9.

8 MR. NKRUMAH: One second, your Honor. Let me double
9 check to see that I have that already marked off. July the 9th
10 at 11:30?

11 THE COURT: July 9 at either 10 a.m. or 11:30. I am
12 perfectly happy for you to be part of the 11:30 contingent. I
13 have excluded time for all defendants, including your client,
14 true and until July 9. Because of the grouping that your
15 client is within in this case, there has not yet been a trial
16 date set.

17 MR. NKRUMAH: Very good.

18 THE COURT: OK. Anything further from the government?

19 MS. MAIMIN: No, your Honor.

20 THE COURT: Anything further from the defense?

21 MR. NKRUMAH: No, thank you, your Honor.

22 THE COURT: OK. Thank you. Have a good weekend.

23 MR. NKRUMAH: Thank you, your Honor.

24 Have a good weekend.

25 (Adjourned)